CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Anthony A. Jimenez, am Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Thomas John Heyer, Register Number 30155-074, is in Bureau custody at the Federal Correctional Institution, Butner, North Carolina, in service of an 18-month term of imprisonment, following the revocation of his supervised release. He violated supervised release by attending a sex offender treatment session while under the influence of a controlled substance, resulting in his termination from the treatment program. His original sentence was a 60-month term of imprisonment and a three-year term of supervised release, following his conviction for Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B) (E.D. Tenn.)(Case No. 3:02-CR-50-01). His offense conduct included downloading and copying child pornography images from the internet. During the investigation of this offense, it was also learned that inmate Heyer befriended a 15-year-old deaf boy, showed him child pornography, performed oral sex on the boy, and

took pictures of himself and the boy nude below the waist. His projected release date is January 1, 2009.

(3) Based on a review of his Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

(a) He previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by his conduct related to his federal child pornography conviction. Additionally, he was previously convicted of Kidnapping in the Second Degree, in the Superior Court, Monmouth County, New Jersey (Case No. 93-06-1006-1), for abducting a ten-year-old boy at knifepoint, taking him to a wooded area near a high school football field, tying the boy up, and burying him with debris to prevent the boy from reporting the crime. There is evidence that Inmate Heyer also pulled the victim's pants down, performed oral sex on the victim, and then masturbated to ejaculation. Additionally, there is evidence that Inmate Heyer has molested 46 children, 44 of whom were male children.

(b) A limited psychological review indicated the following: Axis I diagnoses of Pedophilia, Sexually

Attracted to Males, Nonexclusive Type; Alcohol Dependence, in a Controlled Environment; and Cannabis Abuse, in a Controlled Environment; Axis II diagnosis of Antisocial Personality Disorder;

(c) An initial assessment of him using two actuarial risk assessment instruments (Static-99 and Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR)) was conducted. These results, in addition to his current and prior offense conduct, a history of revocation or failure to meet the stipulations of conditional release, failure in sex offender treatment, early onset of sexual offending, emotional identification with children, poor general self-regulation and lifestyle instability, significant intimacy deficits or conflict in intimate relationships, ongoing or high potential for relapse of drug/alcohol use, and evidence of deviant sexual arousal to male children, as measured by a Penile Plethysmograph Assessment, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Anthony A. Jimenez
Chairperson
Certification Review Panel
Federal Bureau of Prisons

11/14/2008
Date